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01/20/2006 LFULTON 00000002 100435 10806567

01 FC:2251 60.00 DA

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

101806567
368847488

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	27	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	27 minus 20 =	7
INDEPENDENT CLAIMS	2 minus 3 =	0
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	1/9/06	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	26	Minus	27
Independent	2	Minus	3
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

1/18/26

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	*	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	*	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
XS 9=	63
X43=	0
+145=	0
TOTAL	448

RATE	FEE
BASIC FEE	770.00
XS18=	
X86=	
+290=	
TOTAL	

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL	

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL	

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL	

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

BARNES & THORNBURG

IFW
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3723

Attorney

Docket: 36804-74889

Applicant: Martin Levesque

Title: TUMBLER FOR
ARTIFICIALLY AGEING
THE APPEARANCE OF
CONCRETE BLOCKS

Serial No: 10/806,567

Filing Date: March 23, 2004

Examiner: Rachuba, Maurina T.



Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

on January 6, 2006
Angela Kay Rogers
(Signature)

Angela Kay Rogers
(Printed Name)

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election Requirement dated November 10, 2005 please consider the following. This response should also be considered as a request for a one-month extension of time for responding to the Restriction/Election Requirement. The commissioner is authorized to charge any fees which may be due, including those for the one-month extension of time, to Deposit Account 10-0435, but not to include any payment of issue fees.

Amendments to the Claims are reflected in the Listing Of Claims beginning on page 2 of this paper.

Remarks begin on page 8 of this paper.


REMARKS

The above-identified patent application is subject to a Restriction/Election Requirement. The Examiner considers the pending claims 1-27 to be directed to three patentably distinct species: Species 1, corresponding to the structure illustrated in Fig. 2; Species 2, corresponding to the structure illustrated in Fig. 7; and Species 3, corresponding to the structure illustrated in Fig. 11.

To comply with the Requirement applicant provisionally elects Species 1, corresponding to claims 1-3 and 5-18, for substantive examination, and provisionally withdraws claims 4 and 19-27.

The Examiner is cordially invited to contact the undersigned by telephone to discuss any unresolved matters.

Respectfully submitted,



Jeffrey A. Michael
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JAM/akr

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$448.00

Complete if Known

Application Number	Unknown
Filing Date	Herewith (March 23, 2004)
First Named Inventor	Martin Levesque
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	36804-74889

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number

10-0435

Deposit
Account
Name

Barnes & Thornburg

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims	Fee from below	Fee Paid
Total Claims 27 - 20** = 7 X 9.00 =		63.00
Independent Claims 2 - 3** = 0 X		0.00
Multiple Dependent	0.00 =	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 88	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \$63.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	0.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	0.00
1053 130	1053 130	Non - English specification	0.00
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	0.00
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	0.00
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	0.00
1251 110	2251 55	Extension for reply within first month	0.00
1252 420	2252 210	Extension for reply within second month	0.00
1253 950	2253 475	Extension for reply within third month	0.00
1254 1,480	2254 740	Extension for reply within fourth month	0.00
1255 2,010	2255 1,005	Extension for reply within fifth month	0.00
1401 330	2401 165	Notice of Appeal	0.00
1402 330	2402 165	Filing a brief in support of an appeal	0.00
1403 290	2403 145	Request for oral hearing	0.00
1451 1,510	1451 1,510	Petition to institute a public use proceeding	0.00
1452 110	2452 55	Petition to revive - unavoidable	0.00
1453 1,330	2453 665	Petition to revive - unintentional	0.00
1501 1,330	2501 665	Utility issue fee (or reissue)	0.00
1502 480	2502 240	Design issue fee	0.00
1503 640	2503 320	Plant issue fee	0.00
1460 130	1460 130	Petitions to the Commissioner	0.00
1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)	0.00
1808 180	1808 180	Submission of Information Disclosure Statement	0.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	0.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
1801 770	2801 385	Request for Continued Examination (RCE)	0.00
1802 900	1802 900	Request for expedited examination of a design application	0.00
Other fee (specify) 0			0.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$0.00

SUBMITTED BY

Name (Print/Type)	Jeffrey A. Michael	Registration No. (Attorney/Agent)	37,394	Telephone	317-231-7382
Signature	<i>Jeffrey A. Michael</i>	Date	MARCH 23, 2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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